

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Jeffry Martin
Stacy Martin
Debtor(s)

Bankruptcy Case No.: 18-20451-CMB
Issued Per Aug. 23, 2018 Proceeding
Chapter: 13
Docket No.: 42 – 19, 28
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 6, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,656 as of September 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Department of Revenue at Claim No. 1; Ford Motor Credit at Claim No. 4; PNC Bank at Claim No. 11 .
- ☒ H. Additional Terms: The secured claim of Harley-Davidson Credit Corp. at Claim No. 2 shall govern as to claim amount, to be paid at the modified plan terms at \$534 per month.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: August 29, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jeffery Martin
 Stacy Martin
 Debtors

Case No. 18-20451-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 29

Date Rcvd: Aug 29, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 31, 2018.

db/jdb
 14770401 +Jeffery Martin, Stacy Martin, 345 Mustard Lane, Lake Lynn, PA 15451-1043
 14770408 +Aes/aefc-us Bank, Po Box 61047, Harrisburg, PA 17106-1047
 14795403 +Chase Card Services, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Motor Credit Company LLC, P.O. Box 62180,
 Colorado Springs, CO 80962)
 14770410 +Frd Motor Cr, PO Box Box 542000, Omaha, NE 68154-8000
 14776674 +Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
 14770412 +John Deere Finanical, PO Box 6600, Johnston, IA 50131-6600
 14770417 +PA Department of Revenue, Bureau of Individual Taxes, PO Box 280431,
 Harrisburg, PA 17128-0431
 14796782 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
 14811335 +PNC BANK, NATIONAL ASSOCIATION, ATTN: BANKRUPTCY DEPARTMENT, 3232 NEWMARK DRIVE,
 MIAMISBURG OH 45342-5421
 14770418 +PNC Mortgage, PO Box 8703, Dayton, OH 45401-8703
 14770419 +Premier Credit, PO Box 19309, Indianapolis, IN 46219-0309
 14788118 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: U.S. Bank National Association, Bankruptcy Department,
 PO Box 5229, Cincinnati, Ohio 45201-5229)
 14770423 +Usaa Svg Bk, Attn: Bankruptcy, 10750 Mcdermott Freeway, San Antonio, TX 78288-1600

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14818259 +E-mail/Text: operations@alaska.gov Aug 30 2018 02:54:25 ACPE, PO Box 110505,
 Juneau, AK 99811-0505
 14770402 E-mail/Text: bnc-applied@quantum3group.com Aug 30 2018 02:53:47 Applied Bank,
 4700 Exchange Court, Boca Raton, FL 33431
 14770404 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 30 2018 02:47:28 Capital One,
 Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14770411 +E-mail/Text: bankruptcy.notices@hdfsi.com Aug 30 2018 02:54:00 Harley Davidson Financial,
 Attention: Bankruptcy, Po Box 22048, Carson City, NV 89721-2048
 14798996 +E-mail/Text: bankruptcydpt@mcsmc.com Aug 30 2018 02:53:10 MIDLAND FUNDING LLC,
 PO BOX 2011, Warren MI 48090-2011
 14770413 +E-mail/Text: rcpsbankruptcyntices@parallon.com Aug 30 2018 02:54:31 Medcredit, Inc.,
 PO Box 1629, Maryland Heights, MO 63043-0629
 14770414 +E-mail/Text: Bankruptcy@nragroup.com Aug 30 2018 02:54:37 National Recovery Agency,
 2491 Paxton Street, Harrisburg, PA 17111-1036
 14787212 +E-mail/Text: bankruptcy@orangelake.com Aug 30 2018 02:51:44 Orange Lake Country Cl,
 8505 W Irlo Bronson Hwy, Kissimmee, FL 34747-8201
 14770415 +E-mail/Text: bankruptcy@orangelake.com Aug 30 2018 02:51:44 Orange Lake Country Cl,
 Attn: Bankruptcy, 8505 W Irlo Bronson Memorial Highway, Kissimmee, FL 34747-8201
 14774090 E-mail/Text: RVSVCBICNOTICE@state.pa.us Aug 30 2018 02:53:04
 Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,
 Harrisburg, PA 17128-0946
 14770420 +E-mail/Text: Supportservices@receivablesperformance.com Aug 30 2018 02:54:23
 Receivable Performance Mgmt., 20816 44th Avenue W, Lynnwood, WA 98036-7744
 14770421 E-mail/Text: appebnmailbox@sprint.com Aug 30 2018 02:53:06 Sprint, PO Box 4191,
 Carol Stream, IL 60197
 14812526 +E-mail/Text: bncmail@w-legal.com Aug 30 2018 02:53:28 USAA Savings Bank,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 14770424 +E-mail/Text: bankruptcy@vfinancial.net Aug 30 2018 02:54:27 Vanguard Financial Services,
 210 Brooks Street, Ste. 100, Charleston, WV 25301-1848
 14806833 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 30 2018 03:00:48 Verizon,
 by American InfoSource LP as agent, PO Box 248838, Oklahoma City, OK 73124-8838
 TOTAL: 15

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Ford Motor Credit Company LLC
 cr PNC BANK, NATIONAL ASSOCIATION
 cr U.S. Bank National Association
 cr U.S. Bank National Association
 14787197* ++APPLIED BANK, PO BOX 15809, WILMINGTON DE 19850-5809
 (address filed with court: Applied Bank, 4700 Exchange Court, Boca Raton, FL 33431)
 14787196* +Aes/aefc-us Bank, Po Box 61047, Harrisburg, PA 17106-1047
 14787198* +Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
 14770405* +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
 Salt Lake City, UT 84130-0285
 14770406* +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
 Salt Lake City, UT 84130-0285
 14770407* +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
 Salt Lake City, UT 84130-0285
 14787199* +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
 Salt Lake City, UT 84130-0285

District/off: 0315-2

User: jhel
Form ID: 149

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***** BYPASSED RECIPIENTS (continued) *****

14787200* +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
Salt Lake City, UT 84130-0285
14787201* +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
Salt Lake City, UT 84130-0285
14787202* +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
Salt Lake City, UT 84130-0285
14770409* +Chase Card Services, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
14787203* +Chase Card Services, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
14787204* +Chase Card Services, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
14787205* +Frd Motor Cr, PO Box 542000, Omaha, NE 68154-8000
14787206* +Harley Davidson Financial, Attention: Bankruptcy, Po Box 22048,
Carson City, NV 89721-2048
14787207* +John Deere Financial, PO Box 6600, Johnston, IA 50131-6600
14787208* +Medicredit, Inc., PO Box 1629, Maryland Heights, MO 63043-0629
14787209* +National Recovery Agency, 2491 Paxton Street, Harrisburg, PA 17111-1036
14787213* +Orange Lake Country Cl, 8505 W Irlo Bronson Hwy, Kissimmee, FL 34747-8201
14770416* +Orange Lake Country Cl, Attn: Bankruptcy, 8505 W Irlo Bronson Memorial Highway,
Kissimmee, FL 34747-8201
14787210* +Orange Lake Country Cl, Attn: Bankruptcy, 8505 W Irlo Bronson Memorial Highway,
Kissimmee, FL 34747-8201
14787211* +Orange Lake Country Cl, Attn: Bankruptcy, 8505 W Irlo Bronson Memorial Highway,
Kissimmee, FL 34747-8201
14787214* +PA Department of Revenue, Bureau of Individual Taxes, PO Box 280431,
Harrisburg, PA 17128-0431
14787215* +PNC Mortgage, PO Box 8703, Dayton, OH 45401-8703
14787216* +Premier Credit, PO Box 19309, Indianapolis, IN 46219-0309
14787217* +Receivable Performance Mgmt., 20816 44th Avenue W, Lynnwood, WA 98036-7744
14787218* ++SPRINT NEXTEL CORRESPONDENCE, ATTN BANKRUPTCY DEPT, PO BOX 7949,
OVERLAND PARK KS 66207-0949
(address filed with court: Sprint, PO Box 4191, Carol Stream, IL 60197)
14770422* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: Us Bank, Bankruptcy Department, Po Box 5229,
Cincinnati, OH 45201)
14787219* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
(address filed with court: Us Bank, Bankruptcy Department, Po Box 5229,
Cincinnati, OH 45201)
14787220* +Usaa Svg Bk, Attn: Bankruptcy, 10750 Mcdermott Freeway, San Antonio, TX 78288-1600
14787221* +Vanguard Financial Services, 210 Brooks Street, Ste. 100, Charleston, WV 25301-1848
14770403 ##+Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
TOTALS: 4, * 31, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 31, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on August 29, 2018 at the address(es) listed below:

Brian Thomas Langford on behalf of Creditor Ford Motor Credit Company LLC PitEcf@weltman.com,
PitEcf@weltman.com
E. Vernon Parkinson on behalf of Joint Debtor Stacy Martin vparkinson@wgsf-law.com,
nreyes@wgsf-law.com
E. Vernon Parkinson on behalf of Debtor Jeffry Martin vparkinson@wgsf-law.com,
nreyes@wgsf-law.com
James Warmbrodt on behalf of Creditor U.S. Bank National Association bkgroup@kmlawgroup.com

District/off: 0315-2

User: jhel
Form ID: 149

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Jodi L. Hause on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION
jodi.hause@phelanhallinan.com, pawb@fedphe.com
Karina Velter on behalf of Creditor U.S. Bank National Association amps@manleydeas.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Thomas Song on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION pawb@fedphe.com
TOTAL: 9